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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/666,940	09/19/2003	John Burgess	105479-58348 (644-033)	7083
26345	7590	02/22/2008		
GIBBONS P.C. ONE GATEWAY CENTER NEWARK, NJ 07102			EXAMINER RAO, ANAND SHASHIKANT	
			ART UNIT	PAPER NUMBER
			2621	
			NOTIFICATION DATE	DELIVERY MODE
			02/22/2008	ELECTRONIC

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

thibbits@gibbonslaw.com  
abriggs@gibbonslaw.com  
IPDocket@gibbonslaw.com

## Office Action Summary

Application No.

10/666,940

Applicant(s)

BURGESS ET AL.

Examiner

Andy S. Rao

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 12/6/07.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 21-40 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 21-40 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- ☐ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☒ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date 12/6/07.
- ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- ☐ Notice of Informal Patent Application
- ☐ Other: \_\_\_\_\_.

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## DETAILED ACTION

### *Continued Examination Under 37 CFR 1.114*

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 12/6/07 has been entered.

### *Claim Rejections - 35 USC § 102*

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the

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reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

3. Claims 21-40 are rejected under 35 U.S.C. 102(e) as being anticipated by Shaffer et al., (hereinafter referred to as "Shaffer").

Shaffer discloses video conferencing system (Shaffer: figure 1), comprising: a video server having a video input port for receiving a source video signal appearing on a video output port of an initiating computer (Shaffer: column 3, lines 45-50), the video server transforming the source video signal into a video server output signal having a format suitable for communication over the Internet (Shaffer: column 3, lines 65-67); a plurality of remote computers, each of the remote computers executing a respective browser application to access the video server via an Internet address associated with the video server (Shaffer: column 4, lines 35-45); and the video server downloading the video server output signal to each of the remote computers upon its respective access to the video server (Shaffer: column 5, lines 15-25), each of the remote computers transforming the downloaded video server output signal into a display signal suitable for viewing on a display device associated with that remote computer wherein a representation of the source video signal at the initiating computer is viewable on each of the plurality of remote computers (Shaffer: column 6, lines 10-20), as in claim 21.

Regarding claim 22, Shaffer discloses wherein the source video signal is received from the initiating computer via a communications path that does not provide signal processing to the source video signal (Shaffer: column 3, lines 35-40), as in the claim.

Regarding claims 23-24, Shaffer discloses wherein the video server makes a determination as to whether each of the remote computers is authorized to receive the video

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server output signal and, only if so, does the video server download this signal to that remote computer (Shaffer: column 5, lines 20-45), as in the claims.

Regarding claim 25, Shaffer discloses wherein the input signals coupled from the at least one input device are supplied in response to prompts displayed on the display device associated with that one computer (Shaffer: column 7, lines 10-35), as in the claim.

Regarding claim 26, Shaffer discloses wherein downloading of the video server output signal by the video server is a type from the group consisting of multicasting and broadcasting (Shaffer: column 1, lines 5-20), as in the claim.

Regarding claims 27-28, Shaffer discloses wherein the video server utilizes a compression algorithm in transforming the source video signal into the video server output signal (Shaffer: column 3, lines 25-35), as in the claims.

Regarding claim 29, Shaffer discloses wherein the video server output signal is encrypted by the video server prior to downloading to each of the plurality of remote computers (Shaffer: column 8, lines 55-65), as in the claim.

Regarding claim 30, Shaffer wherein the video server downloads a software application to those of the plurality of remote computers that do not have this software application already resident thereon (Shaffer: column 6, lines 20-35), as in the claim.

Regarding claim 31, Shaffer discloses wherein the video output port is one selected from the group consisting of VGA, SVGA, S-video, and composite video and the source video signal has a signal format corresponding to the selected video output port (Shaffer: column 4, lines 30-40), as in the claim.

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Shaffer discloses a method for video signal transmission (Shaffer: figures 3-7), comprising the steps of: providing a source video signal at a video output port of an initiating computer to a video input port of a video server (Shaffer: column 3, lines 45-50) to an internet address (Shaffer: column 4, lines 30-40); transforming the source video signal into a video server output signal having a format suitable for communication over the Internet (Shaffer: column 3, lines 65-67); downloading the video server output signal to each of a plurality of remote computers, each of the remote computers executing a respective browser application to access the video server via an Internet address associated with the video server (Shaffer: column 4, lines 35-45); and the video server downloading the video server output signal to each of the remote computers that access the video server via its Internet address using respective browser applications executing on that remote computer (Shaffer: column 5, lines 15-25), transforming the downloaded video server output signal into a display signal at each of the plurality of remote computers that is suitable for viewing a representative image of that on a display device associated with that remote computer wherein a representation of the source video signal at the initiating computer is viewable on each of the plurality of remote computers (Shaffer: column 6, lines 10-20), as in claim 32.

Regarding claim 33, Shaffer discloses wherein the providing of source video signal to the video input port of the video server is done without any signal processing (Shaffer: column 3, lines 35-40), as in the claim.

Regarding claims 34-35, Shaffer discloses determining whether each of the remote computers is authorized receive the video server output signal and, on if so, is such signal downloaded to that remote computer (Shaffer: column 5, lines 20-45), as in the claims.

Regarding claim 36, Shaffer discloses wherein the input signals coupled from the at least one input device are supplied in response to prompts displayed on the display device associated with that remote computer (Shaffer: column 7, lines 10-35), as in the claim.

Regarding claim 37, Shaffer discloses wherein downloading of the video server output signal by the video server is a type from the group consisting of multicasting and broadcasting (Shaffer: column 1, lines 5-20), as in the claim.

Regarding claims 38-39, Shaffer discloses wherein the video server utilizes a compression algorithm in transforming the source video signal into the video server output signal (Shaffer: column 3, lines 25-35), as in the claims.

Shaffer discloses a method for video signal transmission (Shaffer: figures 3-7), comprising the steps of: receiving a source video signal on a video input terminal of a video server (Shaffer: column 3, lines 45-50), the source video signal being coupled to the video input terminal from a video output terminal of an initiating computer via communications path (Shaffer: column 4, lines 30-40); transforming the source video signal into a video server output signal having a format suitable for communication over the Internet (Shaffer: column 3, lines 65-67); and downloading the video server output signal to each of a plurality of remote computers accessing the video server (Shaffer: column 4, lines 10-30), each of the plurality of remote computers executing a respective browser application (Shaffer: column 5, lines 20-30) and accessing the video server via an Internet address associated with the video server (Shaffer: column 4, lines 35-45), as in claim 40.

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*Conclusion*

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Andy S. Rao whose telephone number is (571)-272-7337. The examiner can normally be reached on Monday-Friday 8 hours.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mehrdad Dastouri can be reached on (571)-272-7418. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Andy S. Rao  
Primary Examiner  
Art Unit 2621

asr  
February 15, 2008

